

THIRTY-EIGHTH DAY.

(Monday, April 6, 1931.)

The House met at 9 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Minor.

The roll was called and the following members were present:

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| Mr. Speaker. | Hatchitt. |
| Adams of Jasper. | Hefley. |
| Adamson. | Herzik. |
| Adkins. | Hill. |
| Akin. | Hines. |
| Albritton. | Holder. |
| Alsup. | Holland. |
| Anderson. | Hoskins. |
| Baker. | Howsley. |
| Barron. | Hubbard. |
| Beck. | Hughes. |
| Bond. | Jackson. |
| Bounds. | Johnson |
| Bradley. | of Dallam. |
| Brice. | Johnson |
| Brooks. | of Dimmit. |
| Bryant. | Johnson of Morris. |
| Burns | Jones of Atascosa. |
| of McCulloch. | Jones of Shelby. |
| Burns of Walker. | Justiss. |
| Carpenter. | Kayton. |
| Caven. | Keller. |
| Claunch. | Kennedy. |
| Coltrin. | Laird. |
| Coombes. | Lasseter. |
| Cox of Limestone. | Lee. |
| Cunningham. | Lemens. |
| Dale. | Leonard. |
| Daniel. | Lilley. |
| Davis. | Lockhart. |
| DeWolfe. | Long. |
| Dodd. | McCombs. |
| Donnell. | McDougald. |
| Dowell. | McGill. |
| Dunlap. | McGregor. |
| Duvall. | Magee. |
| Elliott. | Mathis. |
| Engelhard. | Mehl. |
| Farmer. | Metcalf. |
| Farrar. | Moffett. |
| Finn. | Moore. |
| Fisher. | Murphy. |
| Forbes. | Nicholson. |
| Ford. | Olsen. |
| Fuchs. | O'Quinn. |
| Gilbert. | Patterson. |
| Giles. | Petsch. |
| Goodman. | Pope. |
| Graves. | Ramsey. |
| Greathouse. | Ratliff. |
| Hanson. | Ray. |
| Hardy. | Reader. |
| Harman. | Richardson. |
| Harrison | Rogers. |
| of El Paso. | Rountree. |
| Harrison | Sanders. |
| of Waller. | Satterwhite. |

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| Savage. | Towery. |
| Scott. | Van Zandt. |
| Shelton. | Vaughan. |
| Sherrill. | Veatch. |
| Smith of Bastrop. | Wagstaff. |
| Smith of Wood. | Walker. |
| Sparkman. | Warwick. |
| Stevenson. | Weinert. |
| Steward. | West of Cameron. |
| Strong. | West of Coryell. |
| Sullivant. | Westbrook. |
| Tarwater. | Wiggs. |
| Terrell. | Wyatt. |
| of Cherokee. | Young. |
| Terrell of Val Verde. | |

Absent.

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| Bedford. | Munson. |
| Martin. | Turner. |

Absent—Excused.

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| Adams of Harris. | Grogan. |
| Boyd. | Holloway. |
| Cox of Lamar. | Morse. |
| Dwyer. | Stephens. |
| Ferguson. | |

A quorum was announced present.
Prayer was offered by the Rev.
John W. Holt, Chaplain.

LEAVES OF ABSENSE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Dwyer for today, on motion of Mr. Anderson.

Mr. Holloway for today, on motion of Mr. Johnson of Morris.

Mr. Adams of Harris for today, on motion of Mr. Harman.

Mr. Stephens for today, on motion of Mr. Dowell.

Mr. Ferguson for today and tomorrow, on motion of Mr. Jones of Atascosa.

Mr. Boyd for today, on motion of Mr. Ratliff.

The following members were granted leaves of absence on account of illness:

Mr. Grogan for today, on motion of Mr. Claunch.

Mr. Cox of Lamar for today and the balance of the week, on motion of Mr. Brice.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today (by unanimous consent), were laid before the House, read severally first time and referred to the appropriate committees, as follows:

By Mr. Bradley (by request):

H. B. No. 1008, A bill to be entitled "An Act amending Article 1582, Chapter 6, Revised Criminal Statutes, 1925, to provide for protection for workmen on buildings, and for temporary floorings in buildings more than three stories in height in the course of construction, and declaring an emergency."

Referred to Committee on Labor.

By Mr. Bradley (by request):

H. B. No. 1009, A bill to be entitled "An Act amending Article 5182, Chapter 9, Revised Civil Statutes, 1925, to provide for protection for workmen on buildings, and for temporary floorings in buildings more than three stories in height in the course of construction, and declaring an emergency."

Referred to Committee on Labor.

By Mr. Magee:

H. B. No. 1010, A bill to be entitled "An Act making it unlawful for any State Superintendent, any county superintendent of public instruction, any employe or anyone working in his office, or any city superintendent or any teacher while engaged in teaching in the public schools of Texas to act as agent or be concerned financially in any contract of any text book publishing concern or school supply house whatever; fixing penalty, and declaring an emergency."

Referred to Committee on Education.

By Mr. Satterwhite (by request):

H. B. No. 1011, A bill to be entitled "An Act authorizing independent school districts, by the exercise of the right of eminent domain, to acquire the title to streets and alleys for certain purposes under certain prescribed rules and regulations, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Bryant (by request):

H. B. No. 1012, A bill to be entitled "An Act authorizing the State Treasurer to employ four extra clerks instead of three as authorized by House bill No. 398, passed at the Regular Session of the Forty-second Legislature, and declaring an emergency."

Referred to Committee on Appropriations.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, April 6, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed:

S. B. No. 45, A bill to be entitled "An Act to amend Article 3943, Revised Statutes, 1925, relating to the commission allowed a county treasurer by providing that in all counties having a population of over 340,000 according to the last United States census, the treasurers thereof shall receive as their commissions a sum not exceeding thirty-six hundred dollars annually and shall be allowed an assistant at a salary not to exceed fifteen hundred dollars per annum, and declaring an emergency."

S. B. No. 235, A bill to be entitled "An Act declaring the public policy of this State with respect to provisions in deeds of trust, debentures, mortgages, assignments and transfers of property, executed to secure the payment of bonds, debentures or other obligations issued thereunder, vesting in the trustee named therein the exclusive right to institute any and all suits, at law or in equity, necessary or proper to enforce the covenants and agreements therein made, or to liquidate the trust therein created, and denying to the holders of such bonds, debentures or obligations the right to institute or prosecute such suit or suits, and declaring an emergency."

S. B. No. 275, A bill to be entitled "An Act to amend Chapter 82, General and Special Laws of the Fortieth Legislature, Regular Session, approved March 12, 1927, entitled 'An Act relating to the duties of the county board of trustees of the public schools of this State in all counties having 210,000 population or more, according to the last preceding Federal census, authorizing them to condemn land for school purposes; to subdivide the respective counties into convenient school districts; to increase or reduce the area of independent and common school districts; create additional districts; consolidate two or more adjacent districts; subdivide any districts, and declaring an emergency.'"

S. B. No. 276, A bill to be entitled "An Act to validate all annexations of one independent school district to

another independent school district made pursuant to elections held in each of such districts on the same day, and declaring an emergency."

S. B. No. 289, A bill to be entitled "An Act granting to the widow and daughters of Ed. Mills the right to sue the State of Texas for damages, and declaring an emergency."

S. B. No. 298, A bill to be entitled "An Act amending Article 2956 by adding thereto another section, Article 2956a, providing that persons who are feeble, ill and confined in bed or confined to their places of abode by reason of illness, may vote as absentees may vote under Article 2956, and declaring an emergency."

S. B. No. 426, A bill to be entitled "An Act amending Article 3118 by adding to it Article 3118a, providing that the county executive committee of any political party shall require a bond of the county chairman or of the secretary, prescribing the conditions and amount thereof, for the recovery thereon; for the paying of the fees therefor, and declaring an emergency."

S. B. No. 430, A bill to be entitled "An Act to validate the organization and creation of all school districts, and declaring an emergency."

S. B. No. 490, A bill to be entitled "An Act providing for the election of a district attorney in the Eighteenth Judicial District of Texas, and declaring an emergency."

S. B. No. 570, A bill to be entitled "An Act amending Section 4, Chapter 35, Acts of the Special Laws of the Thirty-third Legislature, the same being Senate bill No. 253, and declaring an emergency."

S. B. No. 572, A bill to be entitled "An Act making better provisions for public parks and playgrounds outside the limits of incorporated cities; authorizing cities to acquire and maintain recreation parks and playgrounds without their territorial limits and within the county within which they are situated."

S. J. R. No. 26, Proposing an amendment to the State Constitution providing that the permanent University fund shall not be invested in bonds or obligations and pledges issued by the Board of Regents of the University of Texas; providing for the submission of this amendment to a vote of the people of Texas; providing the time, means and manner thereof, and making an appropriation for such purpose.

S. B. No. 173, A bill to be entitled "An Act to provide an old age relief system for resident citizens over the age of seventy years; providing for the administration of the system through the county commissioners courts of the various counties in the State and permitting the payment of the old age relief and the expense of the administration from the general revenue of the county of which the applicant is a resident, and declaring an emergency," with engrossed rider.

S. B. No. 283, A bill to be entitled "An Act to authorize the Board of Regents of the University of Texas to invest the University permanent fund, to borrow money for named purposes in specified amounts and to issue bonds therefor, to sell designated securities belonging to the permanent University fund, and to reinvest same, and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

BILL RECOMMITTED.

On motion of Mr. Sanders, House bill No. 539 was recommitted to the Committee on Appropriations.

BILLS ORDERED PRINTED.

Mr. Petsch moved that House bill No. 306, reported adversely with a minority favorable report, be printed.

Mr. Keller moved to table the motion.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—49.

| | |
|-------------|--------------------|
| Adamson. | Herzik. |
| Baker. | Hoskins. |
| Barron. | Jackson. |
| Claunch. | Johnson of Morris. |
| Coombes. | Justiss. |
| Cunningham. | Keller. |
| DeWolfe. | Kennedy. |
| Donnell. | Leonard. |
| Duvall. | Lilley. |
| Elliott. | McCombs. |
| Engelhard. | McGregor. |
| Farrar. | Mathis. |
| Fisher. | Moore. |
| Ford. | Murphy. |
| Fuchs. | Patterson. |
| Giles. | Ray. |
| Goodman. | Richardson. |
| Greathouse. | Rogers. |
| Hefley. | Scott. |

Sherrill.
Sparkman.
Strong.
Sullivant.
Terrell
of Val Verde.

Van Zandt.
Vaughan.
Wagstaff.
Warwick.
Weinert.
Wiggs.

Nays—67.

| | |
|-------------------|--------------------|
| Adams of Jasper. | Johnson |
| Adkins. | of Dimmit. |
| Akin. | Jones of Atascosa. |
| Albritton. | Jones of Shelby. |
| Alsup. | Laird. |
| Anderson. | Lasseter. |
| Beck. | Lee. |
| Bounds. | Lockhart. |
| Bradley. | McDougald. |
| Brooks. | McGill. |
| Bryant. | Magee. |
| Burns | Mehl. |
| of McCulloch. | Metcalfe. |
| Burns of Walker. | Olsen. |
| Carpenter. | Petsch. |
| Caven. | Ramsey. |
| Coltrin. | Ratliff. |
| Cox of Limestone. | Reader. |
| Daniel. | Rountree. |
| Davis. | Satterwhite. |
| Dodd. | Savage. |
| Dowell. | Smith of Bastrop. |
| Farmer. | Smith of Wood. |
| Forbes. | Steward. |
| Gilbert. | Tarwater. |
| Graves. | Terrell |
| Hanson. | of Cherokee. |
| Harman. | Towery. |
| Hatchitt. | Veatch. |
| Hill. | Walker. |
| Hines. | West of Cameron. |
| Holder. | West of Coryell. |
| Howsley. | Westbrook. |
| Hubbard. | Wyatt. |
| Hughes. | Young. |

Present—Not Voting.

Brice.

Absent.

| | |
|-------------|------------|
| Bedford. | Kayton. |
| Bond. | Lemens. |
| Dale. | Long. |
| Dunlap. | Martin. |
| Finn. | Moffett. |
| Hardy. | Munson. |
| Harrison | Nicholson. |
| of El Paso. | O'Quinn. |
| Harrison | Pope. |
| of Waller. | Sanders. |
| Holland. | Shelton. |
| Johnson | Stevenson. |
| of Dallam. | Turner. |

Absent—Excused.

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| Adams of Harris. | Cox of Lamar. |
| Boyd. | Dwyer. |

Ferguson.
Grogan.
Holloway.

Morse.
Stephens.

Question then recurring on the motion to print the bill, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—66.

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|-------------------|--------------------|
| Adams of Jasper. | Johnson |
| Adkins. | of Dimmit. |
| Akin. | Jones of Atascosa. |
| Albritton. | Jones of Shelby. |
| Alsup. | Lasseter. |
| Anderson. | Lee. |
| Bounds. | Lockhart. |
| Bradley. | McDougald. |
| Brooks. | McGill. |
| Bryant. | Magee. |
| Burns | Mehl. |
| of McCulloch. | Metcalfe. |
| Burns of Walker. | Olsen. |
| Carpenter. | Petsch. |
| Caven. | Ramsey. |
| Claunch. | Ratliff. |
| Coltrin. | Ray. |
| Cox of Limestone. | Reader. |
| Daniel. | Rountree. |
| Davis. | Satterwhite. |
| Dodd. | Smith of Bastrop. |
| Dowell. | Smith of Wood. |
| Engelhard. | Steward. |
| Farmer. | Tarwater. |
| Forbes. | Terrell |
| Gilbert. | of Cherokee. |
| Graves. | Towery. |
| Hanson. | Veatch. |
| Harman. | Walker. |
| Hatchitt. | West of Cameron. |
| Hill. | West of Coryell. |
| Holder. | Westbrook. |
| Howsley. | Wyatt. |
| Hubbard. | Young. |
| Hughes. | |

Nays—48.

| | |
|-------------|--------------------|
| Adamson. | Hines. |
| Baker. | Hoskins. |
| Barron. | Jackson. |
| Beck. | Johnson of Morris. |
| Coombes. | Justiss. |
| Cunningham. | Keller. |
| Dale. | Kennedy. |
| DeWolfe. | Lilley. |
| Donnell. | McCombs. |
| Elliott. | McGregor. |
| Farrar. | Mathis. |
| Fisher. | Moore. |
| Ford. | Murphy. |
| Fuchs. | Patterson. |
| Giles. | Pope. |
| Goodman. | Richardson. |
| Greathouse. | Rogers. |
| Hefley. | Scott. |
| Herzik. | Sherrill. |

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| Sparkman. | Vaughan. |
| Strong. | Wagstaff. |
| Sullivant. | Warwick. |
| Terrell | Weinert. |
| of Val Verde. | Wiggs. |
| Van Zandt. | |

Present—Not Voting.

Brice.

Absent.

| | |
|-------------|------------|
| Bedford. | Lemens. |
| Bond. | Leonard. |
| Dunlap. | Long. |
| Duvall. | Martin. |
| Finn. | Moffett. |
| Hardy. | Munson. |
| Harrison | Nicholson. |
| of El Paso. | O'Quinn. |
| Harrison | Sanders. |
| of Waller. | Savage. |
| Holland. | Shelton. |
| Johnson | Stevenson. |
| of Dallam. | Turner. |
| Kayton. | |

Absent—Excused.

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| Adams of Harris. | Grogan. |
| Boyd. | Holloway. |
| Cox of Lamar. | Laird. |
| Dwyer. | Morse. |
| Ferguson. | Stephens. |

Mr. Terrell of Cherokee moved that House bill No. 838, reported adversely with a minority favorable report, be printed.

Yeas and nays were demanded, and the motion to print prevailed by the following vote:

Yeas—67.

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| Adams of Jasper. | Greathouse. |
| Adamson. | Hanson. |
| Adkins. | Hatchitt. |
| Albritton. | Herzik. |
| Alsup. | Hines. |
| Anderson. | Hoskins. |
| Bond. | Howsley. |
| Bounds. | Johnson |
| Bradley. | of Dallam. |
| Brice. | Jones of Shelby. |
| Brooks. | Justiss. |
| Bryant. | Keller. |
| Carpenter. | Kennedy. |
| Coltrin. | Laird. |
| Cox of Limestone. | Lasseter. |
| Daniel. | Leonard. |
| Davis. | Lockhart. |
| Donnell. | Long. |
| Elliott. | McDougald. |
| Farmer. | Magee. |
| Finn. | Mathis. |
| Forbes. | Mehl. |
| Gilbert. | Olsen. |
| Goodman. | Ramsey. |
| Graves. | Ratliff. |

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| Richardson. | Terrell |
| Rogers. | of Val Verde. |
| Rountree. | Towery. |
| Satterwhite. | Veatch. |
| Scott. | Wagstaff. |
| Smith of Bastrop. | Walker. |
| Smith of Wood. | Weinert. |
| Sparkman. | West of Cameron. |
| Terrell | West of Coryell. |
| of Cherokee. | Westbrook. |

Nays—36.

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| Akin. | Jackson. |
| Baker. | Johnson of Morris. |
| Beck. | Jones of Atascosa. |
| Claunch. | Lilley. |
| Coombes. | McGill. |
| DeWolfe. | Moore. |
| Dodd. | Murphy. |
| Dowell. | Nicholson. |
| Engelhard. | Patterson. |
| Fisher. | Petsch. |
| Ford. | Sanders. |
| Fuchs. | Sherrill. |
| Giles. | Tarwater. |
| Hardy. | Van Zandt. |
| Hefley. | Vaughan. |
| Hill. | Warwick. |
| Hubbard. | Wyatt. |
| Hughes. | Young. |

Present—Not Voting.

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| Cunningham. | Moffett. |
| Duvall. | |

Absent.

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| Barron. | Lee. |
| Bedford. | Lemens. |
| Burns | McCombs. |
| of McCulloch. | McGregor. |
| Burns of Walker. | Martin. |
| Caven. | Metcalfe. |
| Dale. | Munson. |
| Dunlap. | O'Quinn. |
| Farrar. | Pope. |
| Harman. | Ray. |
| Harrison | Reader. |
| of El Paso. | Savage. |
| Harrison | Shelton. |
| of Waller. | Stevenson. |
| Holder. | Steward. |
| Holland. | Strong. |
| Johnson | Sullivant. |
| of Dimmit. | Turner. |
| Kayton. | Wiggs. |

Absent—Excused.

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| Adams of Harris. | Grogan. |
| Boyd. | Holloway. |
| Cox of Lamar. | Morse. |
| Dwyer. | Stephens. |
| Ferguson. | |

TO GRANT LEAVE OF ABSENCE TO CERTAIN DISTRICT JUDGE.

Mr. Ratliff offered the following resolution:

H. C. R. No. 49, Granting leaves of absence.

Be it resolved by the House of Representatives of the State of Texas, the Senate concurring, That Hon. Clyde Grissom, Judge of the Thirty-ninth Judicial District of Texas, be, and he is hereby granted permission to be absent from the State of Texas at such intervals and for such time as he may see fit and proper during the years 1931 and 1932, taking into consideration the condition of the dockets of said district.

Signed—Ratliff, Claunch.

The resolution was read second time, and was adopted.

TO PROVIDE FOR ADJOURN- MENT SINE DIE.

Mr. Anderson offered the following resolution:

H. C. R. No. 46, Providing for adjournment sine die.

Be it resolved by the House of Representatives, the Senate concurring, That the Regular Session of the Forty-second Legislature of the State of Texas, stand adjourned sine die at 12 o'clock noon, May 12, 1931.

The resolution was read second time.

On motion of Mr. Anderson, the resolution was laid on the table subject to call.

EXPRESSING APPRECIATION TO U. S. DEPARTMENT OF AGRICULTURE.

Mrs. Rountree offered the following resolution:

H. C. R. No. 45, Commending United States Department of Agriculture for soil conservation work in Texas.

Whereas, The United States Department of Agriculture has recognized the preeminent status of Texas as an agricultural State by giving to the State two regional soil and moisture conservation experiment stations out of the first appropriation made by Congress for soil conservation investigations in co-operation with the different States, to be operated in conjunction and in co-operation with the State experiment stations located in the regions selected; and, in addition, in 1930 selected the extensive area of the water-shed of the Brazos River

as a basis for a more comprehensive and special study of soil wastes and losses of productivity of agricultural land under the varying soil and climatic conditions, and the influence of general erosion upon the increasing frequency and destructiveness of flood waters and the effect of soil and moisture conservation on these conditions, this being the only extended survey or investigation of the kind conducted by the Department in the country; and

Whereas, We recognize the preservation of the fertility and productive capacity of our agricultural lands as our greatest conservation problem and responsibility; therefore, be it

Resolved, by the Legislature of Texas, That we commend the progressive policy of the United States Department of Agriculture in its scientific research into the grave problem that confronts the country in land erosion and soil impoverishment, and the influence of these conditions upon the economic welfare of agriculture; and urge upon the Department the continuation of its investigations in Texas in the manner inaugurated, for the development of useful and necessary information for the extension of effective efforts for soil and moisture conservation and the protection of the whole agricultural industry.

Signed—Rountree, Coltrin, Dowell, Stephens, Fuchs, McGregor, Hoskins, Rogers, Kennedy, Harman, Metcalfe, Magee, Strong, Farmer, Scott, Savage, West of, Coryell, Mathis, Tarwater, Cunningham, Wyatt, Lee, Adkins, Sparkman, Giles, Westbrook, Carpenter, Harrison, Dunlap, Barron, Brooks, Duvall, Johnson of Dallam, Caven, Gilbert, Graves, Hughes, and Veatch.

The resolution was read second time, and was adopted.

PROVIDING FOR AUDITING CER- TAIN FUND.

Mr. Donnell offered the following resolution:

H. C. R. No. 50, Instructing State Auditor to audit the depositors' guaranty fund.

Whereas, The act creating the depositors' guaranty fund passed in 1909, was repealed by Chapter 12, Acts Regular Session Fortieth Legislature; and

Whereas, At the time of the repeal of said depositors' guaranty fund law there remained in said fund several million dollars available for the pay-

ment of valid and legal claims arising under said law which accrued prior to the effective date of the repealing act; and

Whereas, There are a large number of unsecured, non-interest bearing depositors whose claims are entitled to payment out of said fund, but whose claims remain unpaid and unsatisfied, because of a controversy or question as to the status of certain funds being available for the payment of such claims; and

Whereas, There has never been a full and complete audit of said fund since its creation; and

Whereas, The Legislature has before it proposed legislation dealing with the satisfaction of such claims, and the information produced by such an audit will be helpful and necessary to the Legislature in properly considering and passing the necessary legislation for dealing with this fund; and

Whereas, The Legislature desires and should have available a full and complete audit of said funds showing the source of all funds, their present status interest charges and administrative expenses; now, therefore, be it

Resolved, by the House of Representatives, the Senate concurring, That the State Auditor be instructed to immediately proceed with a full, complete, accurate and detailed audit of the depositors' guaranty fund, from the time of its creation down to the present, showing the source of all funds which have been paid in to said depositors' guaranty fund, or which are due and owing to said fund, the present amount of said depositors' guaranty fund, the place where various deposits belonging to said fund are now on deposit, the security in the various banks having such funds on deposit which has been put up to secure said deposits, the amount of interest paid, and payable on any such deposits, and the disposition of such interest charges collected, and such details and information as pertains to and is pertinent to said depositors' guaranty fund.

Especially is it desired that the State Auditor shall show from what source or from whom any and all monies were received by the Banking Commissioner for the said depositors' guaranty fund to show to what account credited, and where money has been paid out from this fund to show to whom paid.

That the State Auditor, in said audit, ascertain and determine all administrative expenses incurred in administering said depositors' guaranty fund and make a full and complete showing thereof in said audit.

That the State Auditor make as full and complete a preliminary report of the status and condition of said depositors' guaranty fund as is possible, in the time available, to the House of Representatives of the Forty-second Legislature, showing, among other things, the amount of administrative expenses incurred in administering said fund, and which have been paid out of said fund during the past four years.

That the Banking Commissioner and the State Banking Board lend all aid, assistance and facilities to the State Auditor to the end that the purposes of this resolution may be accomplished as speedily as possible, furnishing to the State Auditor, and making available to him all data, information, books and records which they have, pertaining to said depositors' guaranty fund.

The State Auditor is authorized to employ such assistants as may be necessary to make the above audit; provided, however, that no outside auditor so employed shall be compensated at a rate to exceed twenty dollars (\$20) per day.

Because the State Auditor does not have appropriated to him sufficient funds to pay the expenses of this audit; and because said audit will be for the benefit of all depositors and claimants on these funds;

Therefore, the expenses incurred in making this audit shall be paid out of the interest which has or will be earned by any of the aforesaid accounts in the hands of the Banking Commissioner of Texas, and such expenses when presented by the State Auditor shall be payable at such times as requested by the State Auditor by voucher or check drawn by the Banking Commissioner of Texas on such interest funds; said voucher to be countersigned by at least one other member of the State Banking Board.

The resolution was read second time.

Mr. Anderson raised a point of order on further consideration of the resolution at this time, on the ground that the time for the consideration of resolutions has expired.

The Speaker sustained the point of order.

PROVIDING FOR COMMITTEE IN REGARD TO RAISING REVENUE.

The Speaker laid before the House for consideration at this time, resolution heretofore offered by Mr. Holder, providing for a committee in regard to studying methods of raising revenue, the resolution having heretofore been read second time.

Mr. Anderson moved that further consideration of the resolution be postponed indefinitely.

Mr. Holder moved to table the motion.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—53.

| | |
|-------------------|-------------------|
| Adams of Jasper. | Justiss. |
| Adkins. | Kennedy. |
| Bounds. | Laird. |
| Brooks. | Lee. |
| Bryant. | Leonard. |
| Burns of Walker. | Lockhart. |
| Carpenter. | Magee. |
| Claunch. | Metcalfe. |
| Coltrin. | Murphy. |
| Cox of Limestone. | O'Quinn. |
| Cunningham. | Petsch. |
| Dodd. | Ramsey. |
| Dowell. | Ratliff. |
| Farmer. | Ray. |
| Farrar. | Richardson. |
| Forbes. | Rogers. |
| Gilbert. | Rountree. |
| Giles. | Sanders. |
| Goodman. | Scott. |
| Graves. | Smith of Bastrop. |
| Hatchitt. | Sparkman. |
| Hill. | Strong. |
| Holder. | Sullivant. |
| Howsley. | Towery. |
| Johnson | Van Zandt. |
| of Dallam. | Veatch. |
| Johnson | West of Coryell. |
| of Dimmit. | |

Nays—64.

| | |
|------------|-------------|
| Adamson. | Davis. |
| Akin. | DeWolfe. |
| Albritton. | Duvall. |
| Alsup. | Elliott. |
| Anderson. | Engelhard. |
| Baker. | Finn. |
| Barron. | Fisher. |
| Beck. | Ford. |
| Bradley. | Fuchs. |
| Brice. | Greathouse. |
| Caven. | Hanson. |
| Coombes. | Harman. |
| Dale. | |

| | |
|------------------|----------------|
| Harrison | Patterson. |
| of El Paso. | Pope. |
| Harrison | Reader. |
| of Walker. | Satterwhite. |
| Hefley. | Savage. |
| Herzik. | Sherrill. |
| Hines. | Smith of Wood. |
| Holland. | Stevenson. |
| Hoskins. | Tarwater. |
| Hubbard. | Terrell |
| Jackson. | of Cherokee. |
| Jones of Shelby. | Terrell |
| Keller. | of Val Verde. |
| Lasseter. | Vaughan. |
| Lilley. | Wagstaff. |
| Long. | Walker. |
| McCombs. | Warwick. |
| McDougald. | Weinert. |
| McGill. | Westbrook. |
| Mathis. | Wiggs. |
| Mehl. | Wyatt. |
| Nicholson. | |

Absent.

| | |
|--------------------|------------------|
| Bedford. | Lemens. |
| Bond. | McGregor. |
| Burns | Martin. |
| of McCulloch. | Moffett. |
| Daniel. | Moore. |
| Donnell. | Munson. |
| Dunlap. | Olsen. |
| Hardy. | Shelton. |
| Hughes. | Steward. |
| Johnson of Morris. | Turner. |
| Jones of Atascosa. | West of Cameron. |
| Kayton. | Young. |

Absent—Excused.

| | |
|------------------|-----------|
| Adams of Harris. | Grogan. |
| Boyd. | Holloway. |
| Cox of Lamar. | Morse. |
| Dwyer. | Stephens. |
| Ferguson. | |

Mr. Laird offered the following amendment to the resolution:

Amend House simple resolution by adding the following: "Be it further resolved, that if no such tax measures are passed by this Legislature, that the public schools of Texas should share in proportion equally with the other institutions and departments in such funds as this State shall have."

The amendment was adopted.

Mr. Pope offered the following amendment to the resolution:

Amend the resolution by adding after the word "luxuries" the following: "and domestic insurance companies," and cut out all reference to tobacco and cigarettes.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—84.

| | |
|------------------|-------------------|
| Adams of Jasper. | Johnson |
| Adamson. | of Dimmit. |
| Adkins. | Jones of Shelby. |
| Akin. | Justiss. |
| Albritton. | Kayton. |
| Anderson. | Kennedy. |
| Baker. | Laird. |
| Barron. | Lasseter. |
| Beck. | Lee. |
| Bounds. | Lockhart. |
| Brice. | McCombs. |
| Brooks. | Magee. |
| Bryant. | Mathis. |
| Burns of Walker. | Mehl. |
| Carpenter. | Moore. |
| Coltrin. | Olsen. |
| Coombes. | Patterson. |
| Cunningham. | Petsch. |
| Daniel. | Pope. |
| Dodd. | Ramsey. |
| Donnell. | Ratliff. |
| Duvall. | Ray. |
| Farmer. | Reader. |
| Farrar. | Richardson. |
| Forbes. | Rogers. |
| Fuchs. | Rountree. |
| Gilbert. | Satterwhite. |
| Graves. | Scott. |
| Greathouse. | Sherrill. |
| Hanson. | Smith of Bastrop. |
| Hardy. | Smith of Wood. |
| Harrison | Sparkman. |
| of El Paso. | Stevenson. |
| Harrison | Strong. |
| of Waller. | Tarwater. |
| Hatchitt. | Towery. |
| Herzik. | Vaughan. |
| Hill. | Veatch. |
| Hines. | Wagstaff. |
| Holder. | Walker. |
| Howsley. | Weinert. |
| Hubbard. | West of Cameron. |
| Johnson | West of Coryell. |
| of Dallam. | Wiggs. |

Nays—22.

| | |
|-------------------|--------------------|
| Alsup. | Jackson. |
| Claunch. | Johnson of Morris. |
| Cox of Limestone. | Keller. |
| DeWolfe. | Lemens. |
| Dowell. | McGill. |
| Elliott. | Murphy. |
| Engelhard. | Steward. |
| Finn. | Terrell |
| Fisher. | of Val Verde. |
| Ford. | Westbrook. |
| Hefley. | Young. |
| Hughes. | |

Present—Not Voting.

| | |
|----------|--------------------|
| Goodman. | Jones of Atascosa. |
|----------|--------------------|

Absent.

| | |
|---------------|--------------|
| Bedford. | McGregor. |
| Bond. | Martin. |
| Bradley. | Metcalf. |
| Burns | Moffett. |
| of McCulloch. | Munson. |
| Caven. | Nicholson. |
| Dale. | O'Quinn. |
| Davis. | Sanders. |
| Dunlap. | Savage. |
| Giles. | Shelton. |
| Harman. | Sullivant. |
| Holland. | Terrell |
| Hoskins. | of Cherokee. |
| Leonard. | Turner. |
| Lilley. | Van Zandt. |
| Long. | Warwick. |
| McDougald. | Wyatt. |

Absent—Excused.

| | |
|------------------|-----------|
| Adams of Harris. | Grogan. |
| Boyd. | Holloway. |
| Cox of Lamar. | Morse. |
| Dwyer. | Stephens. |
| Ferguson. | |

Mr. Anderson withdrew the motion to postpone the resolution indefinitely.

Mr. Duvall offered the following amendment to the resolution:

Amend the resolution by striking out: "that a special committee of five members of the House be appointed by the Speaker to" and insert in lieu thereof: "That the Revenue and Taxation Committee be instructed to."

Signed—Duvall and Anderson.

Mr. Anderson moved the previous question on the pending amendment and the resolution, and the main question was ordered.

Question first recurring on the amendment by Mr. Duvall, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—48.

| | |
|------------------|--------------------|
| Adams of Jasper. | Harrison |
| Adamson. | of El Paso. |
| Albritton. | Hefley. |
| Anderson. | Herzik. |
| Baker. | Hines. |
| Beck. | Hoskins. |
| Brice. | Hughes. |
| Bryant. | Jackson. |
| Coltrin. | Johnson of Morris. |
| Coombes. | Jones of Shelby. |
| Daniel. | Justiss. |
| DeWolfe. | Kayton. |
| Duvall. | Keller. |
| Engelhard. | Long. |
| Fisher. | McCombs. |
| Harman. | McDougald. |

McGill.
Mathis.
Mehl.
O'Quinn.
Patterson.
Ramsey.
Ratliff.
Reader.
Savage.

Sherrill.
Stevenson.
Tarwater.
Vaughan.
Veatch.
Wagstaff.
Weinert.
Wiggs.

Nays—64.

Adkins.
Alsup.
Barron.
Bounds.
Brooks.
Burns
of McCulloch.
Burns of Walker.
Carpenter.
Claunch.
Cunningham.
Davis.
Dodd.
Donnell.
Dowell.
Elliott.
Farmer.
Farrar.
Finn.
Forbes.
Ford.
Fuchs.
Gilbert.
Giles.
Goodman.
Graves.
Greathouse.
Hanson.
Hardy.
Hatchitt.
Hill.
Holder.
Howsley.
Hubbard.

Johnson
of Dimmit.
Jones of Atascosa.
Kennedy.
Laird.
Lasseter.
Lee.
Lemens.
Leonard.
Lilley.
Lockhart.
Magee.
Olsen.
Petsch.
Ray.
Rogers.
Rountree.
Sanders.
Scott.
Smith of Bastrop.
Smith of Wood.
Sparkman.
Steward.
Strong.
Sullivant.
Terrell
of Cherokee.
Terrell
of Val Verde.
Towery.
Van Zandt.
Walker.
West of Coryell.
Young.

Present—Not Voting.

Cox of Limestone.

Absent.

Akin.
Bedford.
Bond.
Bradley.
Caven.
Dale.
Dunlap.
Harrison
of Walker.
Holland.
Johnson
of Dallam.
McGregor.
Martin.
Metcalf.

Moffett.
Moore.
Munson.
Murphy.
Nicholson.
Pope.
Richardson.
Satterwhite.
Shelton.
Turner.
Warwick.
West of Cameron.
Westbrook.
Wyatt.

Absent—Excused.

Adams of Harris. Grogan.
Boyd. Holloway.
Cox of Lamar. Morse.
Dwyer. Stephens.
Ferguson.

Question then recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—80.

| | |
|--------------------|--------------------|
| Adams of Jasper. | Jones of Atascosa. |
| Adkins. | Jones of Shelby. |
| Akin. | Justiss. |
| Alsup. | Kayton. |
| Anderson. | Kennedy. |
| Barron. | Laird. |
| Bounds. | Lasseter. |
| Brice. | Lee. |
| Brooks. | Lemens. |
| Burns | Leonard. |
| of McCulloch. | Lockhart. |
| Burns of Walker. | Magee. |
| Carpenter. | Mehl. |
| Caven. | Moore. |
| Claunch. | Olsen. |
| Coltrin. | O'Quinn. |
| Cox of Limestone. | Petsch. |
| Cunningham. | Pope. |
| Daniel. | Ramsey. |
| Dodd. | Ratliff. |
| Donnell. | Ray. |
| Dowell. | Rogers. |
| Farmer. | Rountree. |
| Farrar. | Sanders. |
| Forbes. | Sherrill. |
| Fuchs. | Smith of Bastrop. |
| Gilbert. | Smith of Wood. |
| Giles. | Sparkman. |
| Graves. | Steward. |
| Greathouse. | Strong. |
| Hanson. | Sullivant. |
| Hardy. | Tarwater. |
| Harrison | Terrell |
| of Waller. | of Cherokee. |
| Hatchitt. | Towery. |
| Hill. | Van Zandt. |
| Hines. | Vaughan. |
| Holder. | Veatch. |
| Hoskins. | Walker. |
| Howsley. | West of Coryell. |
| Hubbard. | Wiggs. |
| Johnson of Morris. | |

Nays—36.

| | |
|------------|------------|
| Albritton. | Duvall. |
| Baker. | Elliott. |
| Beck. | Engelhard. |
| Bryant. | Finn. |
| Coombes. | Fisher. |
| Davis. | Ford. |
| DeWolfe. | Goodman. |

| | |
|-------------|---------------|
| Harman. | McGill. |
| Harrison | Mathis. |
| of El Paso. | Patterson. |
| Hefley. | Reader. |
| Herzik. | Satterwhite. |
| Hughes. | Savage. |
| Jackson. | Stevenson. |
| Keller. | Terrell |
| Lilley. | of Val Verde. |
| Long. | Wagstaff. |
| McCombs. | Weinert. |
| McDougald. | Young. |

Present—Not Voting.

Adamson.

Absent.

| | |
|------------|------------------|
| Bedford. | Moffett. |
| Bond. | Munson. |
| Bradley. | Murphy. |
| Dale. | Nicholson. |
| Dunlap. | Richardson. |
| Johnson | Scott. |
| of Dimmit. | Shelton. |
| Holland. | Turner. |
| Johnson | Warwick. |
| of Dallam. | West of Cameron. |
| McGregor. | Westbrook. |
| Martin. | Wyatt. |
| Metcalf. | |

Absent—Excused.

| | |
|------------------|-----------|
| Adams of Harris. | Grogan. |
| Boyd. | Holloway. |
| Cox of Lamar. | Morse. |
| Dwyer. | Stephens. |
| Ferguson. | |

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, April 6, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 8, A bill to be entitled "An Act providing that it shall be unlawful for any officer or employee of this State or any other person to build, construct, erect, or maintain any building, structure, memorial, or monument within the inclosure around the Capitol grounds in the city of Austin without the authority therefore given by statute by the Legislature of the State of Texas and prescribing a penalty, and declaring an emergency," with amendments.

H. B. No. 821, A bill to be entitled "An Act ratifying and validating the Buna Independent School District, ratifying and validating the proceedings of the boards of county school

trustees of Jasper county and Orange county, respectively, in annexing territory thereto, ratifying and validating the elections held in Buna Independent School District and Gum Slough Common School District, annexing said Gum Slough Common School District to Buna Independent School District, ratifying and validating the petitions and actions thereon by the board of trustees of Buna Independent School District and also by the board of county school trustees of Orange county annexing territory, being portions of other common school districts, to Buna Independent School District, defining and describing Buna Independent School District after such annexations, and declaring an emergency."

H. B. No. 834, A bill to be entitled "An Act amending Article 3937, Revised Civil Statutes of Texas, 1925, as amended by Chapter 20, Section 7, Acts of the Fourth Called Session of the Forty-first Legislature, and declaring an emergency," with amendments.

H. B. No. 294, A bill to be entitled "An Act amending Article 6954, Chapter 6, Title 121, of the Revised Civil Statutes of Texas, 1925, as amended in Chapter 245 of the Acts of the Regular Session of the Fortieth Legislature of Texas, as amended in Chapter 5 of the Acts of the Regular Session of the Forty-first Legislature of Texas, and as further amended in Chapter 71 of the Acts of the First Called Session of the Forty-first Legislature of Texas, the latter being House bill No. 120, passed by the First Called Session of the Forty-first Legislature, and further amended in Chapter 8 of the Acts of the Third Called Session of the Forty-first Legislature, Senate bill No. 22, with reference to the mode of preventing horses and certain other animals from running at large in the counties named so as to include in said article the counties of Carson and Oldham, and declaring an emergency," with amendments.

H. B. No. 758, A bill to be entitled "An Act authorizing the members of the commissioners courts of counties of not less than 15,775 and not more than 15,785 inhabitants to receive a monthly allowance for car expense not exceeding fifty dollars (\$50) each month; providing for filing sworn accounts, and declaring an emergency."

H. B. No. 736, A bill to be entitled "An Act making it unlawful to hunt or kill any wild turkev or wild deer

in Panola county for a period of five years; fixing a penalty, and declaring an emergency."

H. B. No. 851, A bill to be entitled "An Act to prohibit the hunting, shooting or killing of wild duck, wild geese, wild brant or any other wild water fowl within Harrison and Marion counties from 12:00 o'clock noon of each day, until thirty minutes before sunrise of the following day; fixing penalty, and declaring an emergency."

S. B. No. 575, A bill to be entitled "An Act to establish a system of public roads and bridges for Bexar county, and to empower the commissioners court thereof to provide rules and regulations therefor, and a system for the construction of such roads and bridges, the maintenance and repair thereof, and to condemn private property for such purposes, to constitute each county commissioner ex-officio commissioner of the public roads and bridges of his precinct and to prescribe the powers and duties of the county commissioners, etc., and declaring an emergency."

S. B. No. 128, A bill to be entitled "An Act validating the extension of the corporate limits of cities of more than 50,000 inhabitants according to the last United States census where such extension is made under the provision of any home rule charter or ordinance since the enactment of Chapter 110, General Laws of the Forty-first Legislature of the State of Texas of 1929, and validating all proceedings had, done or performed by the governing authorities of said cities or inhabitants thereof in regards to the question of the extension of city limits, and declaring an emergency."

S. B. No. 306, A bill to be entitled "An Act amending Article 1881 of the Revised Civil Statutes of Texas, 1925, and declaring an emergency."

S. B. No. 366, A bill to be entitled "An Act amending Section 29, Article 199, Title 8, of the Revised Civil Statutes of 1925, providing for the changing and fixing the times of holding the courts in the Twenty-ninth Judicial District of Texas, and validating and continuing processes, and writs, bonds, recognizances, and jurors heretofore selected, etc., returnable to the terms of court, as they now exist, and continuing in session the district court which may

now be in session until its term expires by law, and declaring an emergency."

S. B. No. 395, A bill to be entitled "An Act repealing an Act of the Thirty-ninth Legislature approving a compact entered into on February 10, 1925, by Commissioner of State of Texas with Commissioner of State of New Mexico relating to the storage, division and use of the waters of the Pecos River in the State of Texas and New Mexico, and declaring an emergency."

S. B. No. 515, A bill to be entitled "An Act legalizing the annexation of territory embracing a Fresh Water Supply District heretofore established to any city having a population of 150,000 or more, declaring the indebtedness of any such Fresh Water Supply District so annexed to be the legal indebtedness of the city to which same was annexed, and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

CONFERENCE COMMITTEE ON HOUSE BILL NO. 368.

The Speaker announced the appointment of the following conference committee on House bill No. 368: Messrs. Holder, Hubbard, Petsch, Stevenson, and Mrs. Rountree.

INVITATION FROM TEXAS SCHOOL FOR THE BLIND.

The Speaker laid before the House and had read the following invitation:

Texas School for the Blind.
Austin, Texas, April 1, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives, Capitol Station, Austin, Texas.

Dear Sir: The members of the Legislature, their families and friends are cordially invited to attend the performance of Spaulding's "Yanki San," an operetta in two acts, to be given at the Texas School for the Blind auditorium on the evening of Wednesday, April 8, at 8:15.

All members who are interested in transportation to the school will assemble at the north door of the Capitol at 7:30 on the evening of April 8.

Respectfully yours,

W. E. ALLEN,
Superintendent.

On motion of Mr. Van Zandt, the House accepted the invitation.

The Speaker announced the appointment of Mr. Van Zandt and Mr. Sullivant as a committee to ascertain the number of members who will attend the operetta.

BILL RE-COMMITTED.

On motion of Mr. McCombs, House bill No. 512 was re-committed to the Committee on Insurance.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 575, to the Committee on Highways and Motor Traffic.

Senate bill No. 395, to the Committee on Federal Relations.

Senate bill No. 515, to the Committee on Municipal and Private Corporations.

Senate bill No. 128, to the Committee on Municipal and Private Corporations.

Senate bill No. 306, to the Committee on Judiciary.

Senate bill No. 366, to the Committee on Judicial Districts.

Senate bill No. 430, to the Committee on Education.

Senate bill No. 490, to the Committee on Judicial Districts.

Senate bill No. 570, to the Committee on Education.

Senate bill No. 572, to the Committee on Municipal and Private Corporations.

Senate bill No. 289, to the Committee on State Affairs.

Senate bill No. 298, to the Committee on Privileges, Suffrage and Elections.

Senate bill No. 426, to the Committee on Privileges, Suffrage and Elections.

Senate bill No. 235, to the Committee on State Affairs.

Senate bill No. 275, to the Committee on Education.

Senate bill No. 276, to the Committee on Education.

Senate bill No. 283, to the Committee on Public Lands and Buildings.

Senate joint resolution No. 26, to the Committee on Constitutional Amendments.

Senate bill No. 45, to the Committee on State Affairs.

Senate bill No. 173, to the Committee on State Affairs.

RECESS.

On motion of Mr. Hardy, the House, at 12 o'clock noon, took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

BILL LAID ON THE TABLE SUBJECT TO CALL.

On motion of Mr. Bradley, by unanimous consent, House bill No. 966 was laid on the table subject to call.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, April 6, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

S. C. R. No. 29, Inviting the members of the Legislature to the meeting of the East Texas Chamber of Commerce at Marlin.

Respectfully,

BOB BARKER,

Secretary of the Senate.

HOUSE BILL NO. 770 ON SECOND READING.

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to engrossment,

H. B. No. 770, A bill to be entitled "An Act amending Article 7065, Revised Statutes of Texas, 1925, as amended by Chapter 88, Section 17, Acts of the Second Called Session, Forty-first Legislature, and declaring an emergency."

The bill was read second time.

Mr. Farrar offered the following amendments to the bill:

(1)

Amend House bill No. 770, page 3, line 27, by inserting after the word "interest" and before the word "thereon" in said line, the words: "and sinking fund."

(2)

Amend House bill No. 770 by changing the word "returning" in line 26, page 3, to the word "retiring."

(3)

Amend House bill No. 770 by adding immediately following Section 1, a section to be designated as Section 1a, as follows:

"Section 1a. The commissioners courts, county auditors, and various other county officers possessing records and accounts of road building in counties affected by this act shall aid the Comptroller, State Treasurer, and State Highway Engineer with such accounts and records and any other evidence in their keeping to ascertain the amount of outstanding bonds issued for the purpose of construction or improvements of roads and bridges, as provided in Section 1 hereof. Provided further, when it shall appear that in any county affected by the terms of this act, such county or road districts or road precincts therein have issued road bonds therein, part of which was used for lateral roads, and part for State highways, the part so used for State highways shall be ascertained for the purposes of this act. Provided further, the commissioners courts or other tax rate fixing bodies in the various counties in this State, shall first subtract from the entire amount of money required to be raised to pay the annual interest and sinking fund on all outstanding road bonds in such county, road precinct or road district in said county the amount of money payable hereunder and shall fix a rate of taxation sufficient only to pay the annual interest and sinking fund on the unpaid balance of such annual interest and sinking fund on such bonds."

The amendments were severally adopted.

Mr. Burns of McCulloch offered the following amendment to the bill:

Amend House bill No. 770 by adding after the first word in line 10, on page 3, the following words: "or shall have," and strike out the following words in line 10, page 3: "as of January 1st, 1931."

Question recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—26.

| | |
|------------------|------------|
| Beck. | DeWolfe. |
| Burns | Engelhard. |
| of McCulloch. | Hatchitt. |
| Burns of Walker. | Hefley. |
| Caven. | Howsley. |

| | |
|------------|-------------------|
| Hubbard. | Richardson. |
| Johnson | Savage. |
| of Dallam. | Smith of Bastrop. |
| Johnson | Steward. |
| of Dimmit. | Strong. |
| Lee. | Sullivant. |
| Lemens. | Van Zandt. |
| Lockhart. | Wagstaff. |
| McDougald. | West of Coryell. |
| Petsch. | |

Nays—84.

| | |
|-------------------|--------------------|
| Adams of Jasper. | Johnson of Morris. |
| Adkins. | Jones of Shelby. |
| Akin. | Justiss. |
| Albritton. | Kennedy. |
| Alsup. | Laird. |
| Baker. | Lasseter. |
| Barron. | Leonard. |
| Bounds. | Lilley. |
| Brice. | McCombs. |
| Brooks. | McGill. |
| Bryant. | Magee. |
| Claunch. | Mathis. |
| Coltrin. | Mehl. |
| Coombes. | Moffett. |
| Cox of Limestone. | Moore. |
| Cunningham. | Murphy. |
| Daniel. | Olsen. |
| Davis. | O'Quinn. |
| Dodd. | Ramsey. |
| Donnell. | Ratliff. |
| Dowell. | Ray. |
| Farmer. | Reader. |
| Farrar. | Rogers. |
| Finn. | Sanders. |
| Fisher. | Satterwhite. |
| Forbes. | Scott. |
| Ford. | Shelton. |
| Fuchs. | Sherrill. |
| Giles. | Smith of Wood. |
| Goodman. | Sparkman. |
| Graves. | Tarwater. |
| Greathouse. | Terrell |
| Hanson. | of Cherokee. |
| Harman. | Terrell |
| Harrison | of Val Verde. |
| of El Paso. | Towery. |
| Harrison | Vaughan. |
| of Waller. | Veatch. |
| Herzik. | Walker. |
| Hill. | Weinert. |
| Holland. | Westbrook. |
| Hoskins. | Wiggs. |
| Hughes. | Wyatt. |
| Jackson. | Young. |

Absent.

| | |
|------------|--------------------|
| Adamson. | Duvall. |
| Anderson. | Elliott. |
| Bedford. | Gilbert. |
| Bond. | Hardy. |
| Bradley. | Hines. |
| Carpenter. | Holder. |
| Dale. | Jones of Atascosa. |
| Dunlap. | Kayton. |

| | |
|------------|------------------|
| Keller. | Patterson. |
| Long. | Pope. |
| McGregor. | Rountree. |
| Martin. | Stevenson. |
| Metcalfe. | Turner. |
| Munson. | Warwick. |
| Nicholson. | West of Cameron. |

Absent—Excused.

| | |
|------------------|-----------|
| Adams of Harris. | Grogan. |
| Boyd. | Holloway. |
| Cox of Lamar. | Morse. |
| Dwyer. | Stephens. |
| Ferguson. | |

Mr. Terrell of Cherokee offered the following amendment to the bill:

Amend House bill No. 770, page 3, line 7, by adding after the word "same" the following: "or so much thereof as may be necessary."

The amendment was adopted.

Mr. Lockhart offered the following amendment to the bill:

Amend House bill No. 770 by striking out the word "January" and insert the word "July" in line 16, page 3.

The amendment was lost.

Mr. Wagstaff offered the following amendment to the bill:

Amend House bill No. 770, by striking out the word "1931" in line 10, page 3, and substitute in lieu thereof the word "1933," and by striking out the word "1932" in line 14, page 3, and inserting in lieu thereof the word "1933," and by striking out the word "1931" in line 16, page 3, and insert the word "1933."

WAGSTAFF,
HOWSLEY.

(Pending consideration of the amendment, Mr. McGill occupied the chair temporarily.)

(Speaker in the chair.)

Question then recurring on the amendment by Mr. Wagstaff, it was lost.

Mr. Petsch offered the following amendment to the bill:

Amend House bill No. 770 by striking out the enacting clause.

PETSCH,
JOHNSON of Dimmit.

(Pending consideration of the amendment, Mr. Gilbert occupied the chair temporarily.)

(Speaker in the chair.)

Mr. Johnson of Dallam moved the previous question on the pending amendment, and the main question was ordered.

Question recurring on the amendment by Mr. Petsch, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—39.

| | |
|------------------|--------------------|
| Adams of Jasper. | Johnson of Morris. |
| Adamson. | Jones of Shelby. |
| Alsup. | Justiss. |
| Beck. | Kayton. |
| Burns | Lee. |
| of McCulloch. | Lockhart. |
| Carpenter. | McCombs. |
| Dowell. | McDougald. |
| Ford. | Magee. |
| Harrison | Mathis. |
| of El Paso. | Moore. |
| Hatchitt. | Murphy. |
| Herzik. | Petsch. |
| Hill. | Sanders. |
| Holland. | Savage. |
| Howsley. | Steward. |
| Hubbard. | Sullivant. |
| Hughes. | Towery. |
| Johnson | Van Zandt. |
| of Dallam. | Wagstaff. |
| Johnson | Warwick. |
| of Dimmit. | |

Nays—74.

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| Adkins. | Harman. |
| Akin. | Harrison |
| Albritton. | of Waller. |
| Baker. | Hines. |
| Barron. | Hoskins. |
| Bond. | Jackson. |
| Bounds. | Jones of Atascosa. |
| Brice. | Keller. |
| Brooks. | Kennedy. |
| Bryant. | Laird. |
| Burns of Walker. | Lilley. |
| Claunch. | Long. |
| Coltrin. | McGill. |
| Coombes. | Moffett. |
| Cunningham. | O'Quinn. |
| Dale. | Patterson. |
| Daniel. | Pope. |
| Davis. | Ratliff. |
| DeWolfe. | Ray. |
| Dodd. | Richardson. |
| Donnell. | Rogers. |
| Duvall. | Rountree. |
| Elliott. | Satterwhite. |
| Engelhard. | Scott. |
| Farmer. | Shelton. |
| Farrar. | Sherrill. |
| Finn. | Smith of Bastrop. |
| Fisher. | Smith of Wood. |
| Forbes. | Sparkman. |
| Fuchs. | Stevenson. |
| Giles. | Strong. |
| Goodman. | Tarwater. |
| Graves. | Terrell |
| Greathouse. | of Cherokee. |
| Hanson. | Vaughan. |

Veatch. Wiggs.
Walker. Wyatt.
West of Coryell. Young.

Absent.

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|-------------------|------------------|
| Anderson. | Martin. |
| Bedford. | Mehl. |
| Bradley. | Metcalfe. |
| Caven. | Munson. |
| Cox of Limestone. | Nicholson. |
| Dunlap. | Olsen. |
| Gilbert. | Ramsey. |
| Hardy. | Reader. |
| Hefley. | Terrell |
| Holder. | of Val Verde. |
| Lasseter. | Turner. |
| Lemens. | Weinert. |
| Leonard. | West of Cameron. |
| McGregor. | Westbrook. |

Absent—Excused.

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| Adams of Harris. | Grogan. |
| Boyd. | Holloway. |
| Cox of Lamar. | Morse. |
| Dwyer. | Stephens. |
| Ferguson. | |

Mr. Lee offered the following amendment to the bill:

Amend House bill No. 770, page 3, line 16, after January 1, 1931, by adding the following: "all bonds issued prior to the passage of this act."

Question—Shall the amendment be adopted?

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, April 6, 1931.
Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

Senate resolution No. 100, Requesting the House to return House bill No. 834 for further consideration.

That the Senate has passed

S. B. No. 393, A bill to be entitled "An Act providing that the policyholders of insurance companies, which are home companies as defined by the laws of Texas, may purchase and own the capital stock of such companies; and convert such companies into mutual insurance companies to be controlled by their policyholders and requiring the approval of the plan for such conversion by the chairman of the State Board of Insurance Commissioners and directors and stockholders as well

as the policyholders of such companies, and declaring an emergency."

S. B. No. 352, A bill to be entitled "An Act fixing the maximum compensation which may be allowed for deputies and/or assistants to the sheriff, county clerk, district clerk, tax assessor and tax collector in counties with a population over 150,000 inhabitants and containing a city with a population of over 50,000 inhabitants according to the last United States census; repealing all laws in conflict herewith, and declaring an emergency."

S. B. No. 566, A bill to be entitled "An Act providing for the taking of fish from the fresh water of Rockwall county, Texas, and making it unlawful to take any such fish except by ordinary hook and line or by seine or net, the mesh of which is less than one and one-half inch square, etc., and declaring an emergency."

S. B. No. 184, A bill to be entitled "An Act validating the surveys of all lands heretofore and hereafter made and returned to the General Land Office which surveys are located in whole or in part within the corporate limits of any city, town, or village within this State; vesting the title to lands included within the lines of said surveys as returned to the General Land Office in the parties for which same were made and their heirs, successors and assigns, and declaring an emergency,"

Respectfully,

BOB BARKER,
Secretary of the Senate.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 393, to the Committee on Insurance.

Senate bill No. 566, to the Committee on Game and Fisheries.

Senate bill No. 352, to the Committee on State Affairs.

Senate bill No. 184, to the Committee on Public Lands and Buildings.

Senate bill No. 17, to the Committee on Appropriations.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice

thereof and their captions had been read severally, the following enrolled bills:

H. B. No. 821, "An Act ratifying and validating the Buna Independent School District, ratifying and validating the proceedings of the boards of county school trustees of Jasper county and Orange county, respectively, in annexing territory thereto, ratifying and validating the elections held in Buna Independent School District and Gum Slough Common School District, annexing said Gum Slough Common School District to Buna Independent School District, ratifying and validating the petitions and actions thereon by the board of trustees of Buna Independent School District and also by the board of county school trustees of Orange county annexing territory, being portions of other common school districts, to Buna Independent School District, defining and describing Buna Independent School District after such annexations, and declaring an emergency."

H. B. No. 851, "An Act to prohibit the hunting, shooting or killing of wild duck, wild geese, wild brant or any other wild water fowl within Harrison and Marion counties from 12:00 o'clock noon of each day, until thirty minutes before sunrise of the following day; fixing penalty, and declaring an emergency."

H. B. No. 736, "An Act making it unlawful to hunt or kill any wild turkey or wild deer in Panola county for a period of five years; fixing a penalty, and declaring an emergency."

BILL ORDERED NOT PRINTED.

On motion of Mr. McGill, Senate bill No. 283 was ordered not printed, and the committee amendments to the bill were ordered printed in mimeograph form.

RELATIVE TO HOUSE BILL NO. 834.

On motion of Mr. Dale, the House granted the request of the Senate for the return of House bill No. 834, for further consideration by the Senate.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, April 6, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 17, A bill to be entitled "An Act making appropriations to pay the salaries of judges, and the support and maintenance of the Judicial Department of the State Government for the two-year period beginning September 1, 1931, and declaring an emergency."

Respectfully,
BOB BARKER,
Secretary of the Senate.

NOTICE GIVEN.

Mr. Keller gave notice that he would, on tomorrow, move to take up for consideration at that time House bills Nos. 849 and 850, which bills had heretofore been laid on the table subject to call.

HOUSE BILL NO. 294 WITH SENATE AMENDMENTS.

Mr. Warwick called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 294, A bill to be entitled "An Act amending Article 6954, Chapter 6, Title 121, of the Revised Civil Statutes of Texas, 1925, as amended in Chapter 245 of the Acts of the Regular Session of the Fortieth Legislature of Texas, as amended in Chapter 5 of the Acts of the Regular Session of the Forty-first Legislature of Texas, and as further amended in Chapter 71 of the Acts of the First Called Session of the Forty-first Legislature of Texas, the latter being House bill No. 120, passed by the First Called Session of the Forty-first Legislature, and further amended in Chapter 8 of the Acts of the Third Called Session of the Forty-first Legislature, Senate bill No. 22, with reference to the mode of preventing horses and certain other animals from running at large in the counties named so as to include in said article the counties of Carson and Oldham, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Warwick, the House concurred in the Senate amendments by the following vote:

Yeas—104.

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| Mr. Speaker. | Baker. |
| Adamson. | Barron. |
| Adkins. | Bond. |
| Akin. | Bounds. |
| Albritton. | Bradley. |

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| Brice. | Johnson |
| Brooks. | of Dimmit. |
| Bryant. | Johnson of Morris. |
| Burns | Jones of Atascosa. |
| of McCulloch. | Jones of Shelby. |
| Burns of Walker. | Justiss. |
| Carpenter. | Kayton. |
| Claunch. | Keller. |
| Coltrin. | Kennedy. |
| Coombes. | Laird. |
| Cox of Limestone. | Lee. |
| Cunningham. | Lilley. |
| Dale. | Lockhart. |
| Davis. | Long. |
| DeWolfe. | McCombs. |
| Dodd. | McDougald. |
| Donnell. | McGill. |
| Dowell. | Magee. |
| Duvall. | Mathis. |
| Elliott. | Moffett. |
| Engelhard. | Murphy. |
| Farrar. | Patterson. |
| Finn. | Petsch. |
| Fisher. | Pope. |
| Forbes. | Ratliff. |
| Ford. | Ray. |
| Fuchs. | Richardson. |
| Gilbert. | Rogers. |
| Giles. | Rountree. |
| Goodman. | Satterwhite. |
| Graves. | Savage. |
| Greathouse. | Scott. |
| Hanson. | Shelton. |
| Harman. | Sherrill. |
| Harrison | Smith of Bastrop. |
| of El Paso. | Smith of Wood. |
| Harrison | Sparkman. |
| of Waller. | Stevenson. |
| Hatchitt. | Strong. |
| Herzik. | Sullivant. |
| Holder. | Tarwater. |
| Holland. | Towery. |
| Hoskins. | Van Zandt. |
| Howsley. | Veatch. |
| Hubbard. | Wagstaff. |
| Hughes. | Walker. |
| Jackson. | Warwick. |
| Johnson | West of Coryell. |
| of Dallam. | Wyatt. |
| | Young. |

Present—Not Voting.

Farmer.

Absent.

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| Adams of Jasper. | Hines. |
| Alsup. | Lasseter. |
| Anderson. | Lemens. |
| Beck. | Leonard. |
| Bedford. | McGregor. |
| Caven. | Martin. |
| Daniel. | Mehl. |
| Dunlap. | Metcalf. |
| Hardy. | Moore. |
| Hefley. | Munson. |
| Hill. | Nicholson. |

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| Olsen. | Terrell |
| O'Quinn. | of Val Verde. |
| Ramsey. | Turner. |
| Reader. | Vaughan. |
| Sanders. | Weinert. |
| Steward. | West of Cameron. |
| Terrell | Westbrook. |
| of Cherokee. | Wiggs. |

Absent—Excused.

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| Adams of Harris. | Grogan. |
| Boyd. | Holloway. |
| Cox of Lamar. | Morse. |
| Dwyer. | Stephens. |
| Ferguson. | |

CONFERENCE COMMITTEE ON HOUSE BILL NO. 368.

Mr. Holder, chairman, submitted the following Conference Committee report on House bill No. 368:

Austin, Texas, April 6, 1931.

Hon. Edgar E. Witt, President of the Senate; Hon. Fred H. Minor, Speaker of the House of Representatives.

We, your Free Conference Committee, to adjust the differences between the House and the Senate on House bill No. 368, has met and has agreed to retain the House amendment which was removed by an amendment in the Senate containing the words "with the approval of the Legislature."

We beg leave to recommend that this bill pass with this amendment included.

GAINER,
MOORE,
WILLIAMSON,
HOPKINS,
SMALL,

On the part of the Senate.

HOLDER,
ROUNTREE,
PETSCH,
HUBBARD,
STEVENSON,

On the part of the House.

On motion of Mr. Holder, the House adopted the report by the following vote:

Yeas—101.

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| Mr. Speaker. | Bradley. |
| Adams of Jasper. | Brice. |
| Adamson. | Brooks. |
| Adkins. | Bryant. |
| Akin. | Burns |
| Albritton. | of McCulloch. |
| Baker. | Burns of Walker. |
| Barron. | Carpenter. |
| Beck. | Claunch. |
| Bond. | Coltrin. |
| Bounds. | Cox of Limestone. |

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| Cunningham. | Kayton. |
| Dale. | Keller. |
| Davis. | Kennedy. |
| Dodd. | Laird. |
| Donnell. | Lee. |
| Dowell. | Lilley. |
| Duvall. | Lockhart. |
| Elliott. | McCombs. |
| Engelhard. | Magee. |
| Farmer. | Mathis. |
| Farrar. | Moffett. |
| Finn. | Murphy. |
| Fisher. | Patterson. |
| Forbes. | Petsch. |
| Ford. | Pope. |
| Fuchs. | Ratliff. |
| Gilbert. | Ray. |
| Giles. | Richardson. |
| Goodman. | Rogers. |
| Graves. | Rountree. |
| Greathouse. | Satterwhite. |
| Hanson. | Savage. |
| Harman. | Scott. |
| Harrison | Shelton. |
| of El Paso. | Sherrill. |
| Harrison | Smith of Bastrop. |
| of Waller. | Smith of Wood. |
| Hatchitt. | Sparkman. |
| Herzik. | Stevenson. |
| Hill. | Strong. |
| Holder. | Sullivant. |
| Holland. | Tarwater. |
| Hoskins. | Terrell |
| Howsley. | of Cherokee. |
| Hubbard. | Towery. |
| Hughes. | Van Zandt. |
| Johnson | Veatch. |
| of Dallam. | Wagstaff. |
| Johnson | Walker. |
| of Dimmit. | Warwick. |
| Johnson of Morris. | West of Coryell. |
| Jones of Shelby. | Wyatt. |
| Justiss. | Young. |

Nay—1.

McGill.

Present—Not Voting.

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| Coombes. | Jones of Atascosa. |
| DeWolfe. | |

Absent.

| | |
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| Adams. | McDougald. |
| Alsup. | McGregor. |
| Anderson. | Martin. |
| Bedford. | Mehl. |
| Caven. | Metcalf. |
| Daniel. | Moore. |
| Dunlap. | Munson. |
| Hardy. | Nicholson. |
| Hefley. | Olsen. |
| Hines. | O'Quinn. |
| Jackson. | Ramsey. |
| Lasseter. | Reader. |
| Lemens. | Sanders. |
| Leonard. | Steward. |
| Long. | |

| | |
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| Terrell | Weinert. |
| of Val Verde. | West of Cameron. |
| Turner. | Westbrook. |
| Vaughan. | Wiggs. |

Absent—Excused.

| | |
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| Adams of Harris. | Grogan. |
| Boyd. | Holloway. |
| Cox of Lamar. | Morse. |
| Dwyer. | Stephens. |
| Ferguson. | |

RECESS.

Mr. Kayton moved that the House recess to 9 o'clock a. m. tomorrow.

Mr. Burns of McCulloch moved that the House adjourn until 9 o'clock a. m. tomorrow.

Question first recurring on the motion by Mr. Burns of McCulloch, it was lost.

Question then recurring on the motion by Mr. Kayton, it prevailed, and the House, accordingly, at 6 o'clock p. m., took recess to 9 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have filed favorable reports on bills, as follows:

Military Affairs: House bills Nos. 427 and 799.

State Affairs: Senate bills Nos. 241 and 358; House bills Nos. 343 and 364.

Revenue and Taxation: House bill No. 161.

Criminal Jurisprudence: House bill No. 1004.

Education: Senate bills Nos. 222 and 407; House bills Nos. 903, 913 and 994.

Public Printing: House bill No. 990.

The following committees have filed adverse reports on bills, as follows:

Education: House bills Nos. 165, 203, 220, 288, 672, 711, 765, 807 and 914.

Military Affairs: House bill No. 481.

The Committee on State Affairs filed an adverse report, with a minority favorable report, on House bill No. 306.

REPORT OF THE COMMITTEE ON
ENGROSSED BILLS.

Committee Room,
Austin, Texas, April 3, 1931.

Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 335, A bill to be entitled
"An Act to amend Chapter 314, Gen-
eral Laws of the State of Texas,
Forty-first Legislature, Regular Ses-
sion, as amended at the Second Called
Session thereof, so as to further regu-
late motor carriers transporting prop-
erty over the public highways, etc.,
and declaring an emergency,"

Have carefully compared same and
find it correctly engrossed.

RICHARDSON, Vice-Chairman.

REPORT OF THE COMMITTEE ON
ENROLLED BILLS.

Committee Room,
Austin, Texas, April 6, 1931.

Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 736, "An Act making it
unlawful to hunt or kill any wild tur-
key or wild deer in Panola county for
a period of five years; fixing a pen-
alty, and declaring an emergency,"

Have carefully compared same and
find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,
Austin, Texas, April 6, 1931.

Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 821, "An Act ratifying
and validating Buna Independent
School District, ratifying and validat-
ing the proceedings of the boards of
county school trustees of Jasper coun-
ty and Orange county, respectively, in
annexing territory thereto, ratifying
and validating the elections held in
Buna Independent School District and
Gum Slough Common School District,
annexing said Gum Slough Common
School District to Buna Independent
School District, ratifying and vali-
dating the petitions and actions there-
on by the board of trustees of Buna

Independent School District and also
by the board of county school trus-
tees of Orange county annexing terri-
tory, being portions of other Common
School Districts, to Buna Independent
School District, defining and describ-
ing Buna Independent School District
after such annexations, and declaring
an emergency,"

Have carefully compared same and
find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,
Austin, Texas, April 6, 1931.

Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 851, "An Act to prohibit
the hunting, shooting or killing of
wild duck, wild geese, wild brant or
any other wild water fowl within Har-
rison and Marion counties from 12:00
o'clock noon of each day, until thirty
minutes before sunrise of the follow-
ing day; fixing penalty, and declaring
an emergency,"

Have carefully compared same and
find it correctly enrolled.

BOUNDS, Vice-Chairman.

THIRTY-EIGHTH DAY.

(Continued.)

(Tuesday, April 7, 1931.)

The House met at 9 o'clock a. m.,
and was called to order by Speaker
Minor.

HOUSE BILLS ON FIRST READ-
ING.

The following House bills, intro-
duced today (by unanimous con-
sent), were laid before the House,
read severally first time, and referred
to the appropriate committees, as
follows:

By Mr. Gilbert:

H. B. No. 1013, A bill to be entitled
"An Act making appropriations to
pay miscellaneous claims against the
Treasury Department, and authoriz-
ing payment of said claims on the
taking effect of this act, and declar-
ing an emergency."

Referred to Committee on Appro-
priations.